

FROM : W.D. AMES

PHONE NO. : 7033561737

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Sidney Kastner

Serial No. 10/613,575

Art Unit 3728

Filed: March 22, 2004

Primary Examiner Marie Patterson

For: Resilient, All-Surface Soles for Footwear

REQUEST FOR RECONSIDERATION

**Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1250**

SIR:

In response to the Official Action mailed October 15, 2004, it is respectfully requested that the Examiner review her rejections under 35 U.S.C. §§ 102 and 103. Applicant believes that it probably did not fully explain the invention as defined in the claims, and would like to do so in this Request for Reconsideration.

The claims presently under consideration after election are claims 1 and 8 to 12. Claim 1 is believed to be generic to all of the claims in the case.

By the claims now under consideration applicant intended to set forth inventions that include two prime features, the first of which is recited in claim 1, 8 and 12, which are written in independent form. That feature is a shoe sole that has an outer, harder layer and an inner, more resilient layer. Each stud is mounted so that it has a tip